

**The City of Springfield, Ohio
City Commission Public Hearing Minutes
Tuesday, September 28, 2021 – 6:45 p.m.
City Hall Forum**

234-21 Approving an amendment to the existing CC-2A District Development Plan for 1.10 acres at 2206 North Bechtle Avenue, comprised of Parcel Nos. 3200200001000140 and 3300600006100023, to allow for construction of a new automobile-oriented use.

The public hearing was called to order by President Copeland. Roll Call was answered by Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and President Copeland.

Mr. Copeland inquired from the Clerk if proper legal notice was given on such public hearing.

The Clerk read a communication relative thereto, attached to which was a copy of the public hearing notice. Said notice was published in the *Springfield News-Sun* on August 23, 2021.

On motion of Dr. Estrop, seconded by Mr. O'Neill, the communication and notice were ordered received, recorded in the minutes, and filed.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.

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September 28, 2021

Honorable City Commission  
The City of Springfield, Ohio

Honorable Commissioners:

Notice of a public hearing for the purpose of considering the proposed amendment to the existing CC-2A District Development Plan located at 2206 North Bechtle Avenue was published in the *Springfield News-Sun*, a newspaper of general circulation within the City.

Attached hereto is a true and correct copy of the legal notice published on August 23, 2021.

Respectfully submitted,

Jill R. Pierce  
Clerk of the City Commission

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NOTICE OF PUBLIC HEARING

PROPOSED AMENDMENT TO CC-2A DISTRICT DEVELOPMENT PLAN

Notice is hereby given that a public hearing will be held on Tuesday, September 28, 2021, at 6:45 P.M. (local time) in the City Commission Forum, City Hall, 76 East High Street, Springfield, Ohio, to consider the proposed amendment to the CC-2A District Development Plan located at 2206 North Bechtle Avenue, being Parcel Nos. 3200200001000140 and 3300600006100023. Details can be found on the City's website, www.springfieldohio.gov or by calling the City Clerk's Office at 937-324-7341 for details on how to participate.

By Order of the City Commission of The City of Springfield, Ohio.

JILL R. PIERCE
CLERK OF THE CITY COMMISSION
8-23/2021

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Mr. Copeland then called upon City Planner Agwan for a staff report. She reported as follows:

**GENERAL INFORMATION**

On July 15, 2021, Stephen Butler, 2440 Dayton-Xenia Road, Suite B, Beavercreek, Ohio 45434, filed an application on behalf of the property owner, Elliot Hayne Trustee, 20 Tamarin Lane, Novato, California 94945, to amend an approved site plan for 2206 North Bechtle Avenue. The applicant seeks to amend the approved site plan for a gas station at the vacant IHOP restaurant site. Staff does not believe a gas station is the highest and best use for the parcel. This area was intended for retail and staff's opinion is that is what the future use should be. Staff also has concerns on the environmental impact that the underground storage tanks would have in future.

A conditional use permit to allow for a gas station at 2206 Bechtle Avenue in a CC-2A, Shopping Center District was approved by Board of Zoning Appeals on June 21, 2021. The applicable regulations are found in Chapter 1174 of the Codified Ordinances, titled Amendments. The surrounding zoning is:

North: CC-2A Shopping Center District  
East: CC-2A Shopping Center District  
South: CC-2A Shopping Center District  
West: RS-5, Low-Density, Single-Family Residence District

**ANALYSIS:****Land Use Plan and Zoning:**

The Connect Clark County Comprehensive Plan shows this future character area as "Commercial Center." The purpose of the CC-2A district is to provide locations for the development of community shopping and business areas which serve a major segment of the community population.

**Principal Uses:**

- (a) Business service establishment, except a drive- in facility.
- (b) Club.
- (c) Food locker.
- (d) Meeting hall.
- (e) Museum and art gallery.
- (f) Office use allowed in the CO-1 District.
- (g) Personal service establishment, except a drive- in facility.
- (h) Retail establishment (including a restaurant), except those uses listed as conditional uses.
- (i) Theater.
- (j) Financial Institution.
- (k) Hotel or motel.

**Provisional Uses:**

None.

**Conditional Uses:**

A lot or building may be occupied by the following conditional uses:

- (a) Animal specialty service, veterinary clinic, and animal hospital. Such uses shall be subject to the following requirements:
  - (1) The facility shall have no outside runs.
  - (2) Animals shall not be housed outside nor shall cages be stored outside.
  - (3) The building housing the facility shall be sound proofed to minimize the transmission of sound outside the walls of the building. A minimum sound transmission coefficient of 40 shall be maintained.
  - (4) All facilities shall be constructed and maintained in such a manner so as to prevent the emission of noxious or offensive odors.
  - (5) The facility shall be limited to the care of small domestic animals.
- (b) Automobile and truck oriented use.
- (c) Cemetery.
- (d) Day-care center.
- (e) Commercial recreational use.
- (f) Dwelling located above the ground floor of another principal use allowed in this district, provided the density does not exceed one (1) dwelling unit per 1,800 square feet of lot area.
- (g) Funeral home subject to the requirements of Chapter 1135.
- (h) Public utility or public use.
- (i) Religious institution.
- (j) School, specialized private instruction.
- (k) Emergency housing, provided there shall be at least 300 square feet of lot area for each permanent resident and 200 square feet for each guest.
- (l) Drive-in facility for a financial institution.
- (m) Mini-warehouse or self-storage facilities subject to the following requirements:
  - (i) Such mini-warehouse or self-storage facilities must be located at the rear of a lot used for other CC-2 purposes.
  - (ii) The lot on which such use is permitted must have frontage on a thoroughfare as the same is shown on the adopted Thoroughfare Plan of The City of Springfield, Ohio, and entrance and exit to such use shall be from such thoroughfare.
  - (iii) All drives and parking areas serving the use shall have a paved surface such as asphalt, concrete, or like material.
  - (iv) Any such use on a lot located within 150 feet of or abutting a lot having a residential use in an R district shall be screened in accordance with the requirements of Section 1161.02 (h) of this Zoning Code.
  - (v) There shall be one (1) off-street parking space for each 3,000 square feet of storage and such off-street parking shall be subject to Section 1158.02(b) of this Zoning Code.
- (n) Community Center, subject to the requirements of Chapter 1135.

**Surrounding Land Use:**

Proposed use is not compatible with the surrounding land uses.

**Thoroughfare Plan:**

North Bechtle Avenue is classified as a primary arterial road.

**Staff Comments:**

City Manager's Office: Recommend Denial. This was not sold as an "automobile oriented use" in the approval of the original zoning and site plan and if approved, would adversely alter the character of the development as it approaches the residential development to the north. Additional concerns of possible environmental impacts.

City Service Department: Recommend approval. Right in only entrance (no exit) on Bechtle Avenue.

City Police Department: No objections

City Fire Department: No objections

City Building Division: Recommend approval. All issues will be dealt with during plan review process.

Planning/Zoning Division: Recommend Denial. Concern of environmental impact.

**STAFF RECOMMENDATION:**

Recommend denial to amend the approved site plan.

**COMMENTS**

Mr. Copeland asked if there were comments from the Commission.

Mr. O'Neill asked if the Board of Zoning Appeals approved the conditional use permit, and Ms. Agwan stated the Board of Zoning Appeals approved the permit unanimously.

Mrs. Chilton asked for additional information on why the staff recommended denial of the proposed plan change. Ms. Agwan stated staff noted the traffic concerns of the area and felt the property would be better used as a restaurant or shopping use. Mrs. Chilton asked if there were any other objections, and there were none.

Dr. Estrop noted the Board of Zoning Appeals approved the conditional use permit after staff recommended denial.

Mr. Rue asked for confirmation that the Service Department staff had traffic concerns but did not recommend denial, and Ms. Agwan confirmed.

NOTE: Mr. Jim Peifer representing the property owner for a different development plan request spoke briefly. Staff clarified that two different cases were coming to the City Commission for neighboring properties. Mr. Peifer represented the owner for the other case.

Mr. Steven Butler, 2440 Dayton-Zenia Road, Suite B, Beavercreek, spoke on behalf of the property owner describing the proposed gasoline station. Mr. Butler stated the existing building would remain, a canopy added, and some of the existing asphalt removed. Mr. Butler noted the Board of Zoning Appeals granted a conditional use permit for the property in June 2021 and stated the proposed use would be compatible to the area similar to the existing gasoline station down the street. Mr. Butler spoke on fuel tank regulations and stated there were no objections from the applicant to the requested right-turn only from the property.

Dr. Estrop asked how the proposed use would enhance the site and community including upkeep and landscaping. Mr. Butler stated the owner has received beautification awards for other locations including Troy, Ohio.

Mr. Rue asked for the brand name of the proposed gasoline station, and Mr. Butler stated the brand would be Shell Gasoline. Mr. Rue commented that he did not believe the proposed use is the best use for the property, and the Commission must look at the use and traffic concerns for the area.

Mr. Copeland asked if there were comments from the audience. There were none.

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There being no further business, on motion of Dr. Estrop, seconded by Mr. Rue, the public hearing adjourned.

Yeas, Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mr. Copeland.

Yeas 5, Nays 0.



PRESIDENT OF THE CITY COMMISSION



CLERK OF THE CITY COMMISSION